

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David Fifield

Assignee: Broadcom Corporation

Title: Antenna Configuration for Wireless Communication Device

Serial No.: 10/810,112 Filed: March 26, 2004

Examiner: Matthew C. Sams Group Art Unit: 2617

Docket No.: BP 3208 Customer No.: 34399

August 29, 2007

Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

APPLICANT'S REPLY BRIEF

Dear Sir:

Applicant submits this Reply Brief in response to the Examiner's Answer mailed in this case on June 29, 2007. It is believed that no fees are due in connection with the filing of this Reply Brief, however, the Commissioner is authorized to deduct any amounts required for this Reply Brief and to credit any amounts overpaid to Deposit Account No. 502264.

In the third paragraph under the "Grounds for Rejection," section of Examiner's Answer, Examiner correctly states that the He reference does not disclose first and second pairs of antennas. In the fourth paragraph Examiner states that Greer discloses a multiple antenna diversity system comprising a first pair of antenna elements and a second pair of antenna elements. As support for this contention, Examiner cites page 8, claim 17 of Greer. Examiner does not cite any portion of the Detailed Description for the teaching of an antenna system comprising first and second antenna pairs, because no such discussion exists in the Detailed Description section. Attorney for Applicant has carefully reread the Greer reference and cannot find any discussion that provides support for the system recited in claim 17. Applicant respectfully submits, therefore, that Greer does not provide an enabling disclosure as required by 35 U.S.C. §112, first paragraph. Even if the claims are considered to be part of the specification, the mere recitation of the aforementioned features does not provide an enabling disclosure.

Furthermore, Greer does not provide any drawing that shows an embodiment comprising first and second pairs of antennas as required by 37 C.F.R. §1.83. All of the illustrated embodiments of the Greer multiple antenna system shown in Figures 1, 3, 8, 9 and 17, show only a single pair of antennas. While Attorney for Applicant understands that the aforementioned statutory requirements relate to the examination of a patent application, those requirements are the basis for providing an enabling disclosure and, therefore, apply with equal force when considering enablement of a disclosure under 35 U.S.C. §103.

Independent claims 1 and 11 recite a first pair of antenna elements for transmitting and receiving RF signals at a first frequency and a second pair of antenna elements for transmitting and receiving RF signals at a second frequency. Applicant submits that Examiner's Answer fails to address the first and second frequency limitations recited in independent claims 1 and 11. Applicant addressed these limitations in the original Appeal Brief and will not repeat that discussion herein.

For the reasons set forth above, the combination of Greer and He fails to disclose the limitation recited in independent claims 1 and 11 of "first and second pairs" of individual antenna elements for transmitting at first and second frequencies. It is apparent that the combination of He and Greer fails to anticipate independent claims 1 and 11 and, therefore, the rejection of claims 1 and 11 under 35 U.S.C. §103(a) should be removed. Furthermore, the rejection of dependent claims 2-10 and 12-20 under 35 U.S.C. §103(a) should be removed since these claims are dependent from allowable base claims.

For the reasons set forth above, Applicant respectfully requests that the rejection of claims 1 - 20 be reversed.

FILED ELECTRONICALLY
August 29, 2007

Respectfully submitted,

/Gary W. Hamilton/

Gary W. Hamilton
Attorney for Applicant
Reg. No. 31,834